

## **IC 34-55-12**

### **Chapter 12. Collection of Judgments Against City or County**

#### **IC 34-55-12-1**

##### **Judgments against county or city; appropriations; appeal**

Sec. 1. (a) A judgment against a county or city may be enforced only from appropriations made for that purpose.

(b) The proper officers of the county or city may be compelled by mandamus proceedings to make the necessary provisions for appropriating, levying, and collecting by taxation the sum necessary for the payment of a judgment. In the mandamus proceedings:

- (1) the respective bodies and officers may be sued collectively by their legal names;
- (2) service of process may be made on any member of the respective bodies; and
- (3) all members of the respective bodies are bound by the judgment.

(c) If a city is entitled to an appeal, the appeal shall be granted without bond. A judgment against a city may not be enforced pending an appeal.

*As added by P.L.1-1998, SEC.51.*

#### **IC 34-55-12-2**

##### **Restrictions on remedies; inapplicability to certain actions**

Sec. 2. (a) This section does not apply to judgments and awards arising out of actions between municipalities or in which the state may have an interest.

(b) Execution may not be made upon a judgment or award of a court or board against real or personal property owned by a city or town, or on the interest of a city or town in such property.

(c) A mandate or injunction may not be issued by a court against a city or town or the officers of a city or town concerning a judgment or award unless the judgment or award arises from or out of an action in tort or on an express contract.

*As added by P.L.1-1998, SEC.51.*